

USSN 09/803,320
Atty. Docket No. 2001-0066-01

REMARKS

Claims 1-12 are pending in the above captioned application. Claims 1-5 and 8-11 stand rejected. The Examiner has objected to claim 12. Claims 1-5 and 8-11 have been rejected for obviousness double patenting over United States Patent No. 6,563,128 in view of U.S. Published Patent Application No. US2002/0099475A1. Claim 12 is objected to as depending from a rejected claim. The Examiner has not rejected or objected to claims 6 and 7, but also has not indicated on the cover sheet of the Office Action.

Applicants had previously filed a terminal disclaimer over 6,563,128, which was not accepted due to the undersigned not being on the power of attorney at the time. A new power has since been submitted and applicants hereby resubmit the terminal disclaimer previously filed.

The Examiner's basis for rejection of claims 1-5 and 8-11 has, therefore, been rendered improper and the Examiner is respectfully requested withdraw the rejection of claims 1-5 and 8-11 remove the rejection of claims 1-5 and 8-11 and the objection to claim 12, and to allow claims 1-12.

USSN 09/803,320
Atty. Docket No. 2001-0066-01

CONCLUSION

Claims 1-12 should now be in a condition for allowance and applicants respectfully request that the rejections to claims 1-5 and 8-11 and the objection to claim 12 be withdrawn and claims 1-12 allowed. Applicants authorize the Commissioner to charge in the amount of \$110.00 for the terminal disclaimer to the Deposit Account No. 03-4060 of Cymer, Inc. Applicants do not believe any other fees are due in connection with this submission however if fees are due, the Commissioner is authorized to charge the Deposit Account No. 03-4060 the appropriate amount.

Respectfully submitted,


William C. Cray, Reg. No. 27,627

December 2, 2003
Cymer, Inc.
Legal Department - MS/4-2C
17075 Thornmint Court
San Diego, California 92127
Telephone: 858-385-7185
Facsimile: 858-385-6025